HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No. 17372 of 2007

Between:

Prof. V.S.S. Sastry

... Petitioner

And

The Ministry of Human Resource Development,
Government of India, rep. by its Secretary,
Department of Secondary & Higher Education,
New Delhi & others

... Respondents

:: O R D E R ::

Counsel for the petitioner : Shri S. Ramachandra Rao,
Senior Advocate assisted by
Shri S. Sharath Kumar

August 30, 2007

Per G.S. SINGHVI, CJ

In this petition, the petitioner has prayed for striking down Section 46(a) of the English and Foreign Languages University Act, 2006 (for short, 'the Act') on the ground that the same is wholly arbitrary, illegal and ultra vires Section 4(v), Section 13 and is violative of Articles 14, 16 and 21 of the Constitution of India. Another prayer made by the petitioner is for grant of a declaration that Section 46(a) of the Act is not applicable to him. He has further prayed for quashing proceedings bearing No.F.34-1/2006-Desk (U), dated 2nd August, 2007 issued by

the 2nd respondent and proceedings dated 8th August, 2007 issued by the Registrar, English and Foreign Languages University.

On being pointed out by the Court that relief claimed in this petition cannot be granted because a substantially similar prayer has been made in Writ Petition No. 10846 of 2007, Shri S. Ramachandra Rao, Senior Counsel appearing for the petitioner submitted that his client may be permitted to withdraw this petition with liberty to make appropriate amendment in Writ Petition No. 10846 of 2007.

The request of the learned Senior Counsel is accepted and the writ petition is dismissed as withdrawn with liberty in terms of the prayer made.

As a sequel to dismissal of the writ petition as withdrawn, W.P.M.P. Nos. 22213 and 22214 of 2007 filed by the petitioner for interim reliefs are also dismissed.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

August 30, 2007
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